



## Planning Board (PB) Minutes, 1-30-24 Village of Sodus Point, NY

**Members Present:** Bruce Evener (Chair), William Kedley, William McKee, Janine Fogarty, Mark Costich (zoom), Kathy Berretta (zoom)

**Staff Present:** Linda Youngman – Clerk (in person), Village of Sodus Point (Kevin Druschel - CEO, code enforcement officer) (zoom)

**Others present:** Keri Wallenhorst (zoom), Village of Sodus Point (zoom), Village of Sodus Point (zoom), Jen ... (zoom), Penny Darby (in person), Bob Darby (in person), James Taylor (in person), Elaine Allis (in person), Dennis Allis (in person), Sue Bassage (in person), Kathy Berretta (zoom), Mimi's iPad (zoom), Roger Brandt, Robert's iPad, iPhone, Swift, Bud Bristol, Doug Cleveland, Ginny..., Phil Leone (in person)

**Establishment of a Quorum:** A quorum of 3 was established with six members in attendance.

**Announcements:** Advertisement of the meeting was posted on the Village website and also posted at Wayne Times.

**Call to order:** The meeting was called to order by Chair Evener at 7:00 pm.

Chair Evener outlined the process for making changes to the Village Code according to State Law:

- An initial draft of the code section revision is developed by the Planning Board;
- Once the Planning Board is satisfied that the code revision meets the needs of the Village, the draft is sent to the Village Attorney for review;
- After review by the Village Attorney, the draft is sent to the Mayor who distributes it to the Village Trustees for their review and input;
- If the Mayor and Village Trustees believe that further revisions are warranted, the draft is returned to the Planning Board for revision;
- Once the Mayor and Village Trustees believe the draft is complete, the Village provides for a period of Public Comment. The Public Comment period is required to be at least 30 days;
- Based on input from the Public Comment, the Mayor and Village Trustees may ask the Planning Board for further revisions to be made;
- Once the Mayor and Village Trustees are satisfied that the draft revision is complete, they will approve the code changes;
- The final draft of the code revision will then be submitted to the Secretary of State for approval;
- Upon approval of the code revision by the Secretary of State, the Code revision shall become effective.

**Review minutes from previous meetings:** Minutes from 1-23-24 were reviewed, edited and approved. Janine Fogarty said pg2, 6th line down, correction to the statement. William McKee motioned to approve, William Kedley seconded, the minutes were approved.

Votes: Evener-aye, Kedley-aye, McKee-aye, Costich-aye, Fogarty-aye, Berretta-aye

## 1. Draft Code Revision Chapter 141 Property Maintenance

Following are comments from the PB on 141. The final draft of the revisions should be considered the intent of the board, and the minutes reflect an approximate record of discussion.

- Chair Evener asked to change the term from refuse in the section on dumpsters.
- Berretta asked to change the definition on marina. Chair Evener said he borrowed the definition of marina from other communities. Berretta asked about 2-3 marine vehicles. Chair Evener said that more than 3 marine vehicles could constitute a marina rather than a private residence. Kedley said that many private owners have 3 marine vehicles at their home. Chair Evener agreed with this statement. Berretta said would it stay 5 marine vehicles – Evener said yes, the rest of the board wanted 5. Kedley said 5 marine vehicles as characterized by site plan.
- Chair Evener moved to motor vehicles. Strike marine vehicles, change to boat.
- Moving to rubbish, put 'marine equipment' in for appropriate use. Other building material is moved to debris. Kedley said there may be too many categories of "junk".
- 141-5, rubbish section, debris will be kept. There was a slash for rubbish-debris changed to a comma. In d, the word 'by' should be struck.
- 141-9, outdoor storage, boats and marine equipment, exception #1, Evener said 'any current existing marina'. Fogarty said it should stay. Kedley wanted to change marine vehicles to boats, also remove the extra "and".
- Section 2, LCR property, Evener suggested adding "or WC". Caption should be exceptions.
- 141-10, a, there is no b. Fogarty suggested adding a comma. Waterfront commercial section, residential purposes.
- 141-11, Evener suggested junk, storage containers section, property zoned in LCR, the last section is redundant. McKee suggested trucks, things be plural. Kedley said it should not affect private residences. Second paragraph, remove the extra "a". Provisions below should be left.
- Mark Costich asked about 141-11, second paragraph, goods and materials section, – Evener said the sections would not relate to village permit. Fogarty said therefore a truck cannot be a storage vehicle. Berretta said it referred to a camper which cannot be used for storage. Other PB members said it is OK. Costich said what if it was a vehicle built for storage – Kedley said dump trucks are built to carry things. Berretta said some people store their tools in their trucks. Fogarty suggested saying "long-term storage". Kedley suggested "stationary storage". Chair Evener said it was awkward wording. Fogarty suggested "storage for more than a number of days", Berretta agreed. McKee suggested wording that avoided talking about property. McKee said vehicles used for storage should not be permitted. Fogarty and McKee gave suggested wording – "and similar items to be used for storage... should not be permitted on residential property zoned".
- McKee suggested second paragraph on provisions should be moved to 3a. Other PB members agreed with this new placement.
- Fogarty suggested only charging a fee for over a certain number (45 to 90) of days.
- Permitted requirements section, McKee suggested "refuse to rubbish, debris" to be consistent with other sections. Fogarty suggested removing "debris" leaving it just rubbish, debris. Phil Leone tried to make some comments – Evener reminded him that the meeting was not open for public comment.
- Kedley said a1 paragraph should be changed to rubbish to be consistent.
- Kedley suggested changing container, and dumpster to "storage container".

- Evener asked if the PB was ready for section b. Fogarty said the first sentence did not make sense. Evener suggested “and to not” for revised wording. Kedley agreed but said the 5 in parenthesis should be struck. Evener said the minimum of 6 ft be changed. McKee suggested striking the remainder.
- Evener said in section c, the words should be re-arranged, moving the end to the middle. Berretta asked if dumpster referred to village – Evener said yes. Evener said “at the end of each work day” be changed slightly. Kedley suggested “dumpsters be covered at all times”. Fogarty suggested adding “emptied regularly”. Berretta asked what the time frame for “regularly” should be. Kedley suggested “at least weekly”. Kedley said dumpsters with organic matter should be emptied at least weekly. Also “dumpsters should not be filled as to overflow”. Evener said “if there are offensive odors or attracting rodents should be emptied” is already in there.
- Kedley said there was nothing to change in 141-12.
- Evener asked about 141-13, 141-14. Fogarty said in b, it doesn’t make sense “rendered...”. Kedley said “hereinafter in section 141-15d”. Evener said there is no d in 141-14. Fogarty said 141-13d perhaps? Kedley said 141-15d provides for cost. Kedley said it should state “as hereinafter provided in 141-15D”.
- Kedley said “if a person fails to follow..., they should be fined...” Should it not include penalties? D should incorporate B – penalties should be added to the taxes, including non-payment of penalties. Kedley said moving penalties from B into D including unpaid fines plus administration fee of \$100. Kedley suggested changing 4<sup>th</sup> line down, to “costs thereof including unpaid fines and administration fee in the amount of \$100”.
- Chair Evener will update the draft and send it to PB members to be considered for the next PB meeting. McKee asked that the revised clean draft be sent to PB members for their read prior to the next PB meeting.
- Berretta asked Chair Evener to review the process again prior to public comment. Following the PB draft, Chair Evener again outlined the process to be followed for changes to be made to the Code as noted earlier in the meeting.

**Motion to adjourn:** Motion to adjourn was made by McKee, Fogarty seconded, the motion passed unanimously. The meeting was adjourned by Chair Evener at 8:00 pm.

The next PB meeting will be February 5, 2023 unless plans change.